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July 31, 2019

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Via ECF

The Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
Thurgood Marshall United States
Courthouse
40 Foley Square
New York, New York 10007

**Re: In re BCBG Max Azria Global Holdings, LLC, et
al: NYAM, LLC v. MacGreevey, in his capacity
as Plan Administrator, Case No. 19-02963 (PGG)**

Dear Judge Gardephe:

This firm represents Mr. MacGreevey, in his capacity as Plan Administrator, who is the Appellee in the appeal (the "Appeal") from a decision in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") that is pending before Your Honor.

On July, 23, 2019, Your Honor entered a Stipulation and Order [Docket No. 15] which extended the briefing schedule relating to the Appeal in order to give the parties time to complete the documentation of the settlement in principle that they had reached. Pursuant to the Stipulation and Order, Appellee's response deadline was extended to August 5, 2019, and the appellant (the "Appellant") was to file its reply on or before August 19, 2019.

The parties have now completed and signed a settlement agreement (the "Settlement Agreement") which provides, *inter alia*, for payment by Appellant to Appellee of a settlement amount in installments with payment to be completed by December 31, 2019 and dismissal with prejudice of the Bankruptcy Court proceeding and the Appeal upon completion of the payment. The Settlement

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Agreement also contemplates that after dismissal, the Bankruptcy Court will retain jurisdiction to adjudicate any issues arising from the Settlement Agreement.

In light of the execution of the Settlement Agreement, I write on behalf of both parties to respectfully request that the briefing schedule be held in abeyance until January of 2020.

We are available to answer any questions the Court might have.

Respectfully submitted,



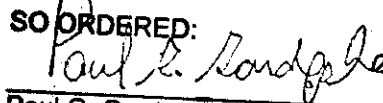
Beth E. Levine

cc: Michael Harmersky, Esq. (*via email*)

MEMO ENDORSED

The Application is granted.

SO ORDERED:



Paul G. Gardephe, U.S.D.J.

Dated: 8/6/19